

Supplementary Committee Agenda



**Epping Forest
District Council**

Local Plan Cabinet Committee Monday, 25th March, 2013

Place: Council Chamber
Civic Offices, High Street, Epping

Time: 7.00 pm

Democratic Services: Gary Woodhall
Office of the Chief Executive
Tel: 01992 564470
Email: democraticservices@eppingforestdc.gov.uk

9. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order (6) (non-executive bodies), any item raised by a non-member shall require the support of a member of the Cabinet Committee and the Chairman of the Cabinet Committee. Two weeks' notice of non-urgent items is required.

9.a THE NATIONAL PLANNING POLICY FRAMEWORK - ONE YEAR ON (Pages 41 - 64)

(Director of Planning & Economic Development) To consider the attached report (LPC-011-2012/13).

This page is intentionally left blank

Report to the Local Plan Cabinet Committee



Report reference: *LPC-011-2012/13*
Date of meeting: *25 March 2013*

**Epping Forest
District Council**

Portfolio: Planning

Subject: The National Planning Policy Framework (NPPF) One Year On

Responsible Officer: John Preston (01992 564111).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That Members note the experience of other authorities in applying the NPPF one year on, considering if this is similar to their experience, and whether any lessons can be learnt;
- (2) That Members compare existing policies against NPPF using the information in the appendix and agree the list of non-compliant policies for deletion. The remaining list of compliant policies will continue to be used until they are superseded by the adoption of a new Local Plan;
- (3) That the amended policy lists are then published on the EFDC website; and
- (4) That Members note the experience of a number of other authorities at Examination, and seek to avoid any pitfalls they have experienced.

Executive Summary:

The National Planning Policy Framework is a relatively short document which was issued by Government following consultation and revisions to a consultation draft. It replaced a large number of lengthy Policy Statements and Guidance Notes which often duplicated or conflicted with one another, and which had been issued over a long period of time.

This report considers experience over the first year of the NPPF which was a transition period. Members are asked to agree (i) a list of Local Plan policies which are non-compliant with the NPPF which will not be used any longer in development management decisions; and (ii) policies which are compliant and which can be used until they are overtaken by the adoption of a new Local Plan, or until such time as appeal decisions warrant the discontinuation of their use.

The report considers briefly the local and national experience with the NPPF in a changing era, and particularly draws attention to pitfalls that others have experienced in bringing their new Local Plans forward.

Reasons for Proposed Decision:

Paragraphs 214 and 215 of the NPPF state;

214. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.

215. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.)

In the first 12 months of the NPPF, in practice considerable weight has been given to our Local Plan policies. This includes both the Council's 1998 Local Plan, and the 2006 Alterations.

However, it is now necessary to consider the degree of consistency of the Local Plan policies by considering whether they are compliant or non-compliant with the NPPF and give some prominence to those complying policies which the Council will continue to use. It is sensible to draw on the experience of other authorities during the operation of the NPPF and put that to the use of EFDC.

Other Options for Action:

Simply rely on the NPPF until such time as a new Local Plan has gone through more of its procedural stages. This would mean that applications will be determined by nationally derived policies only rather than those developed at a district level through the preparation of Local Plans.

Report:

What is the National Planning Policy Framework and what was it trying to achieve?

1. The NPPF is, in effect, a very succinct summary of a large number Planning Policy Guidance Notes and Statements which had been issued over many years. It was intended to make planning advice more readily accessible and understandable to the general public. The Framework promotes positive planning, ie making provision for objectively assessed needs and has at its core a presumption in favour of sustainable development. This includes achieving economic growth and significantly boosting the supply of housing in the country. The Framework is also intended to be a catalyst to encourage authorities to prepare up-to-date Local Plans to a very tight timetable.

2. In the short term this significant change to planning policy guidance may have lessened the number of major planning applications being made whilst developers took stock and operated a cautious approach. The lesser weight to be given to older Plans by the end of March may mean that this period of relatively quiet developer activity will shortly be coming to an end.

3. The NPPF included a one-year transition period, after which unless LP policies are compliant with the Framework, policies within the Framework are likely to be given greater weight. It is up to individual authorities to make a case for retaining policies on the grounds that they are compliant with the NPPF. Appendix A contains a Schedule of Local Plan and Alterations policies with an indication of whether or not they are judged compliant based on consideration by Counsel and planning officers. It is suggested that Members agree that non-compliant policies will no longer be used, but that compliant policies should still be used until a new Local Plan is fully adopted, or until such time as appeal decisions warrant the discontinuation of their use. As the new Local Plan proceeds towards adoption, and reaches

key procedural stages, its policies will gradually be given greater weight, but only where there are no outstanding objections to policy which have not been resolved.

4. Another purpose of the transition period was to encourage authorities to get new Local Plans adopted as quickly as possible. Officers estimate that the earliest this Council can get the new Plan adopted will be the end of 2014. The policies of the emerging Local Plan will only be given full weight once the Plan has achieved a successful Examination, has been found sound by the Inspector and has been adopted by the Council.

5. A growing number of authorities have run into significant problems with new Local Plans at Examinations in Public. In a substantial number of cases Inspectors have reached conclusions that have forced submitted plans back to a much earlier procedural stage. The key issues arising are;

- the adequacy of population projections and the suggested housing numbers;
- Green Belt review; and
- failures over the Duty to Co-operate.

6. Further information on these cases is given below and will shortly be published in the Council Bulletin. Government is clearly serious about significantly increased housing development and that, despite frequent statements in the media to the contrary, Green Belt is not sacrosanct if there is not an up-to-date Local Plan, and a demonstrably adequate five-year housing land supply.

7. There have been a number of appeal decisions where the Secretary of State appeared to be keen to take more of a local view, but under challenge, has then reverted to a more permissive approach. Harlow had a recent non-determination appeal allow significant development at a site on Gilden Way.

8. There are currently a number of plans that are being held at examination stage by the Planning Inspectorate using the procedures for main modifications to suspend examination in order to enable the Council to satisfy the requirements of the system post NPPF. These suspensions have happened for a variety of reasons but the most frequent failures are;

- to address objectively assessed development need;
- to review the Green Belt; and
- to meet the duty to co-operate in dealing with assessed needs for housing.

9. Set out below are some further details of how those key requirements are being interpreted by the Planning Inspectorate through the use of examples. For the purposes of this report the Inspectors' letters reviewed are: Bath and North East Somerset Core Strategy Examination; Coventry City Council Core Strategy DPD Examination; Dacorum Core Strategy Examination; East Hampshire District Local Plan Examination; Rushcliffe Borough Council's Core Strategy Examination; Ryedale District Council Examination; and Selby District Core Strategy Examination.

10. The NPPF introduces a presumption in favour of sustainable development (paragraph 14) and for plan making this means:

"..authorities should positively seek opportunities to meet the development needs of their area: Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change unless:

- *any adverse impacts of doing so would significantly and*

- demonstrably outweigh the benefits, when assessed against the policies in this framework as a whole; or*
- *specific policies of this Framework indicate development should be restricted” (Paragraph 14 NPPF 2012)*

Local housing targets

11. In recent examinations the Planning Inspectorate has questioned the local housing targets set in draft plans and found them wanting. In particular Inspectors have questioned the evidence supporting conclusions on housing targets, and found the process has not identified and tested the full objectively assessed need. They have reiterated the view that such assessment should be based on an up-to-date Strategic Housing Market Assessment. This should identify the scale and mix of housing over the plan period that the local population is likely to need to meet the household and population projections, taking into account migration and demographic change (paragraph 159 of the NPPF). The key message from Inspectors is that this full objectively assessed need must be used as the starting point for the analysis of the potential provision in the plan and any plan target below this full objectively assessed need should have extremely strong justification. This view reinforces the requirement of plan making to (i) assess all reasonable alternatives and (ii) provide an outline of the reasons for selecting the alternatives that meet the Strategic Environmental Assessment Directive.

Green Belt

12. Inspectors’ letters have stated that, in undertaking an assessment of the ability of the area to meet the full objectively assessed need, authorities are not to assume that long standing policy restraint will override the requirement to seek to meet the need in full. A number of authorities appear to have assumed that because they have Green Belt, and some land still available that is not Green Belt, the focus of their search should be on what proportion of need they can meet with land outside the Green Belt, hence focusing search within current policy constraints. This has not proved acceptable to examining Inspectors or, indeed to be, in the spirit of the NPPF.

Duty to Cooperate

13. The duty to cooperate was introduced by the Localism Act 2011 and is now enshrined in the Planning and Compulsory Purchase Act 2004. In short it requires that authorities engage constructively, actively and on an ongoing basis in any plan making process with neighbouring authorities and other bodies on cross boundary strategic matters. There are two tests in order to meet the duty to cooperate: the legal test and the soundness test. The effect of this is that the Inspector must, at the outset, consider whether or not a Council has complied with the legal process – the preparatory test. Where the Council cannot demonstrate that this has been complied with, the plan will be found unlawful (e.g. decision on the North London Waste Plan). If the legal duty is met, the Inspector will then go on to consider the soundness test as part of the examination hearings as set out in the National Planning Policy Framework (paragraphs 178-182). Paragraph 182 sets out the test including that the plan is positively prepared and meets the needs and requirements from neighbouring authorities. Local authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross boundary impacts when their Local Plans are submitted for examination. Paragraph 181 goes on to say that this could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy. Cooperation should be a continuous process of engagement from initial thinking through to implementation.

14. Cross boundary issues cover common matters such as meeting housing requirements

within housing market areas (which frequently cross administrative boundaries), Gypsy Romany and Traveller matters, strategic transport infrastructure and so on. When the Local Plans are examined the Planning Inspector will need to see sufficient evidence to demonstrate that the requirement to fulfil the duty to cooperate has been met. The current interpretation of the fulfilment of this duty is such that authorities need to effectively resolve the strategic cross boundary issues, not just discuss them. Examples of the current interpretation of these issues follow.

15. The Inspector's concerns regarding the soundness of the submitted plan that led to a request for suspension of the East Hampshire and South Downs Joint Core Strategy include:

- This is not a positively prepared plan based on a strategy which seeks to meet objectively assessed need;
- The lack of an up-to-date Strategic Housing Market Assessment (SHMA), and although in general conformity with the South East Plan, the plan will not meet market housing need and would limit the supply of local workers, prejudicing existing businesses and making the district less attractive to new employers;
- The failure to meet undisputed and urgent need for affordable housing weighs heavily in favour of increased levels of housing provision;
- The failure to discuss meeting unmet need with neighbouring authorities;
- That the Councils' assertion of environmental constraint is not supported by assessment of whether the full objectively assessed needs are met:

"...almost 60% of the District falls within the South Downs National Park. Whilst this and the other landscape and ecological designations may provide the justification for not meeting all the objectively assessed need, I consider that the Authorities still need to know what the full needs are in order that they can identify any unmet need and discuss addressing that unmet need with their neighbours..." Inspector's Letter 23 November.2012 paragraph 12

- the Inspector goes on to note:

"I do not make light of the need to consider the international, national and local designations in the district. However, there seems to be an unquestioned acceptance that all designations, including those made at a local level are sacrosanct. I am not directing that local designations such as gaps between settlements should be sacrificed but I have neither seen nor heard anything to indicate that the authorities have balanced meeting the socio-economic needs of the residents of East Hampshire against the impact of meeting those needs on the environment." Paragraph 13

16. The examination has been suspended from January 2013 to October 2013 for the Councils to produce an up to date SHMA, test the impact of higher growth levels through sustainability appraisal and strategic environmental assessment, and consider making provision for an increased number of dwellings and/or set out the results of discussions with neighbouring authorities in relation to meeting unmet need, together with other matters.

17. The preliminary findings of the Inspector in the examination of Dacorum Core Strategy in Hertfordshire include:

- The Council is meeting a level of need it thinks it can accommodate based on its

- assessment of constraints rather than full objectively assessed need.
- There is insufficient evidence to demonstrate that the provision in the plan meets the full objectively assessed need, nor that future needs can be accommodated without a review of the Green Belt.
- The assessment of sites that has been undertaken against a range of criteria including the impact on Green Belt appears to give little weight to accommodating full objectively assessed need.
- That bearing in mind the tight constraint the Green Belt imposes, and the AONB elsewhere in the Borough, the Inspector is not convinced that the longer term development needs can be satisfied or that the Council has sought to address this by resolution under the duty to cooperate that would establish the unmet need being provided for by neighbouring authorities.
- Whilst the Inspector is clear that Dacorum Borough Council has cooperated with St Albans City & District Council it has not investigated ways in which the area could contribute to the full housing needs of Dacorum. This view is in the context of plans to produce a Joint Area Action Plan for a shared growth area east of St Albans.

18. The consultation on main modifications includes a commitment to an early review of the plan and closed 6 March 2013.

19. Other plans in suspended examinations relating to meeting housing need include Selby District Council, Ryedale District Council, Bath and North East Somerset Council, Rushcliffe Borough Council (which includes the lack of a green belt review) to name a few. Some such as Hull City Council have now withdrawn their submitted plan (Full Council meeting 17 January 2013). Whilst the final outcome of these examinations is yet to be determined, the indications of the interpretation being given to the NPPF provide very important messages for other Councils.

20. The duty to cooperate is proving to be a challenge for many authorities and there are two recent decisions of particular note. Rushcliffe Borough Council Core Strategy has received objections from many of its neighbouring authorities in Greater Nottingham whilst the submitted plan and proposed modifications have been criticised by the Inspector. This includes concern that there is no single overall evidence based set of figures to which the constituent authorities including Rushcliffe agree, which represents a major difficulty. The Inspector accepts there are constraints including Green Belt but:

"...Rushcliffe has not undertaken a strategic review of the Green Belt in its area to consider whether all parts of it meet national policy aims and purposes..... I have seen scant evidence that the Housing Market Area's projected needs have fallen so much since the Regional Plan was adopted, or that the local constraints are so severe, that Rushcliffe is justified in reducing its housing target from 15,000 to 9,600".... Inspector's letter 13.2.13

21. Coventry City Council has been found to have failed to meet the duty to cooperate in spite of it not ignoring the duty and indeed actively seeking to discharge the duty. The Inspector has ruled that the duty requires constructive engagement, and the cooperation has not been constructive because it has identified the matters that require cooperation but not solved them, including the provision of an appropriate level of housing. This means that the plan making has to revert to an earlier stage and the Council has to return to engaging with its neighbours on, among other matters, a joint Strategic Housing Market Assessment.

Further Review/Simplification of Guidance.

22. The Government has also asked Lord Taylor of Goss Moor to conduct a review of "the

existing suite of planning practice guidance either owned by the Department for Communities and Local Government (DCLG), or owned jointly by DCLG and other government departments or agencies" to see how that can be simplified - a particular suggestion is that all such advice should be held on one web site. The Government has yet to respond and implement its chosen recommendations.

Resource Implications:

This Committee has received regular reports about the agreed budgets, and their use on a new Local Plan, which is a key Corporate document for the Council. The report draws attention to pitfalls for a number of other Councils. A simple consequence of those pitfalls is that they require various procedural steps/ consultation and plan resubmission to take place, and which are collectively expensive steps to have to repeat.

Legal and Governance Implications:

The report draws attention to the weight to be given by decision takers to a number of policies, and the dynamic. It also draws out that there are pitfalls being experienced by a number of Authorities.

Safer, Cleaner and Greener Implications:

In seeking to continue to defend the green characteristics of the District there are tensions with achieving development to provide homes and employment for local families.

Consultation Undertaken:

None.

Background Papers:

Bath and North East Somerset Core Strategy Examination. Inspector's Preliminary Conclusions on Strategic Matters and Way Forward 21 June 2012

Coventry City Council Core Strategy DPD Examination Letter from the Inspector 27 February 2013 and Annex Examination of the Coventry Local Development Plan – Core Strategy. Preliminary Hearing Session concerning the duty to cooperate.

Examination of the Dacorum Core Strategy Inspector's Preliminary Findings on matters relating to housing provision and the Green Belt. 19 November 2012

Examination of the East Hampshire District Local Plan: Joint Core Strategy Inspector's Letter 23 November 2012

Examination of Rushcliffe Borough Council's Core Strategy Letter from the Inspector 13 February 2013

Ryedale District Council Examination of the Ryedale Plan – Local Plan Strategy Inspector's Interim Conclusions 14 December 2012

Selby District Core Strategy Examination Inspector's Ruling on Request for Suspension of Examination 10. October 2012

Impact Assessments:

Risk Management

In part, the purpose of this report is to avoid risks, such as trying to use non-compliant policies upon which to base decisions, and to avoid pitfalls which other planning authorities have already experienced. Many of the steps already being taken by the Authority were already intended to avoid those pitfalls, but they are a salutary reminder.

As the transition period ends one may well expect to see major applications submitted which seek to expose issues, or to persuade a different weighing of factors with economic growth more in mind than defence of particular sites. Achieving a new Local Plan is the best way to avoid these risks, and opinions vary about what will happen in the post transition period of the NPPF. Some examples elsewhere suggest there are vulnerabilities to which it is only proper to draw attention to.

Equality and Diversity

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?
The new Local Plan will consider these issues. The Government would have been responsible for EIA on the NPPF.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A.

Local Plan Review

* Number of times policy has been cited on decision notice

		EFDC Planning Officers (including M Beard's further view 13/03/2013)		Policy Count 20/02/12- 20/02/13 *
		Conformity	Observation	
Core Policies				
CP1 Page 49	Achieving Sustainable Development Objectives	<u>COMPLIANT</u>	Paragraphs 7, 8, 9, 10, 17, 29, 34, 37, 50, 69, 70.	81
CP2	Protecting the Quality of the Rural and Built Environment	<u>COMPLIANT</u>	Paragraphs 7, 8, 9, 17, 81, 109, 112, 117, 118.	723
CP3	New Development	<u>COMPLIANT</u>	Paragraphs 7, 8, 9, 10, 17, 34, 37.	70
CP4	Energy Conservation	<u>COMPLIANT</u>	Paragraphs 7, 17.	11
CP5	Sustainable Building	<u>COMPLIANT</u>	Paragraphs 7, 35, 109, 117, 118.	14
CP6	Achieving Sustainable Urban Development Patterns	<u>COMPLIANT</u>	Paragraphs 7, 8, 9, 10, 17, 21, 35, 39, 50, 56, 57, 69, 70.	6

CP7	Urban Form and Quality	<u>COMPLIANT</u>	Paragraphs 7, 8, 9, 10, 17, 58, 59, 61, 64.	29
CP8	Sustainable Economic Development	<u>COMPLIANT</u>	Paragraphs 7, 8, 17, 21, 28.	
CP9	Sustainable Transport	<u>COMPLIANT</u>	Paragraphs 7, 8, 34, 35.	3
CP10	Renewable Energy Schemes	<u>COMPLIANT</u>	Paragraphs 7, 17, 95, 97.	6
Green Belt			General support for Green Belt policy set out under 5th core land-use planning principle of paragraph 17 - Core planning principles and section 9 - Protecting Green Belt Land. As to assessing the merits of development, a balancing approach is set out - paras 87 and 88.	
GB1	Green Belt Boundary	<u>COMPLIANT</u>	Paragraphs 81 to 86 deal with the approach that should be taken in defining Green Belts. Paragraphs 83, 153 and 157 give the basis for defining them in a Local Plan.	0
GB2A	Development in the Green Belt	<u>GENERALLY COMPLIANT</u>	Generally compliant but the approach is the reverse of that set out in the NPPF. NPPF does not define appropriate development but sets out what development is not inappropriate at paragraphs 89 and 90. Criterion (i) RE Agriculture or horticulture is not explicitly identified as a land use objective or a beneficial use of the Green Belt in paras 80 and 81. Buildings for agriculture are not inappropriate - para 89. However, they may fail to preserve openness - para 79 and therefore may be harmful despite being appropriate. e.g. glasshouses. Appropriateness under Criterion (ii) and (iii) is qualified by the need to preserve openness and not conflict with the purposes of including land in the Green Belt - para 89. Criterion (iv) has no parallel in the NPPF but the principle of preserving openness and not conflicting with the purposes of including land in the Green Belt is reflected throughout the Green Belt section of it. Criteria (v), (vi) and (vii) are considered under relevant policy below, other than to emphasise that the limited extension or the complete replacement of any building together with the limited infilling or the partial or complete	355
GB4	Extensions of Residential Curtilages	<u>COMPLIANT</u>	There is no explicit discussion of extending residential curtilages in the NPPF but subject to compliance with the principle of preserving openness and not conflicting with the purposes of including land in the Green Belt there is no national policy objection to such development which would not be inappropriate.	9

GB5	Residential Moorings and Non-Permanent Dwellings	<u>COMPLIANT</u>	Compliant, but potential for very special circumstances not recognised. New buildings, whether temporary or permanent, that are to be used as dwellings are inappropriate development - paragraph 89. This is position is further supported in paragraph 55 which states LPA's should avoid new isolated homes in the countryside other than in special circumstances, examples of which are given including the essential need for a rural worker (not necessarily one in agriculture) to live near their place of work in the countryside.	5
GB6	Garden Centres	<u>PARTIALLY COMPLIANT</u>	Although garden centres and buildings necessary to facilitate them are generally inappropriate development, they may not be inappropriate at previously developed land. This policy does not recognise garden centres in some circumstances may arguably be a sustainable form of development. The policy is not consistent with policies to support a prosperous rural economy - para 28 - but there is tension between that and Green Belt policy within the NPPF anyway.	0
GB7A	Conspicuous Development	<u>COMPLIANT</u>	Reflects the importance of openness set out in para 79 and arguably the encouragement of LPA's to plan positively to enhance the beneficial use of the Green Belt by enhancing landscapes and visual amenity at para 81, although that is not so clear. Safeguarding rural character perhaps reflects the purpose of Green Belts to safeguard the countryside from encroachment - para 80. There may, however, be circumstances when harm caused by conspicuous development is justified by vsc, in which case that harm is arguably not excessive. To that extent the policy acknowledges the importance of vsc and the balanced approach put forward in paras 87 and 88.	171
GB8A	Change of Use or Adaptation of Buildings	<u>GENERALLY COMPLIANT</u>	Generally compliant with para 90, but the criteria of the policy introduce tests that go beyond the one parallel bullet point of para 90. The NPPF does not require buildings to be any more than of permanent and substantial construction. No need to be in keeping (criterion (i)) and nothing to support criterion (iv). Criterion (v) has support from paras 26 and 27 of the NPPF. General support in para 28 - supporting rural economy.	29
GB9A	Residential Conversions	<u>NOT COMPLIANT</u>	Not compliant with Green Belt section of the NPPF. The NPPF does not treat residential re-use any differently to re-use of buildings for any other purpose. There is some support for the policy in para 55 on the basis that new isolated homes in the countryside should be avoided. Possible tension with para 51 of NPPF that requires LPAs to identify and bring back into use empty buildings in line with local housing and empty homes strategies. Design element of this policy is compliant with para 58.	15
GB10	Development in the Lee Valley Regional Park	<u>COMPLIANT</u>	Para 89.	4
GB11	Agricultural Buildings	<u>COMPLIANT</u>	Para 89 - criterion (i), para 58 - criterion (ii - design), paras 32 & 110 - criterion (iii - highway safety and watercourse), para 109 (iv - nature conservation). NPPF is silent on the consequences for amenity.	9

GB13	Subdivision of Houses	<u>COMPLIANT</u>	Para 57 - criterion (i - design), paras 55 & 131 - criterion (ii - preserving a heritage asset), para 81 - criterion (iii - landscape), core principle 11 of para 17 - criterion (iv - sustainable location)	1
GB14A	Residential Extensions	<u>COMPLIANT</u>		
GB15A	Replacement Dwellings	<u>COMPLIANT</u>	Paras 79 (openness) and 89 (not inappropriate development)	16
GB16	Affordable Housing	<u>COMPLIANT</u>	Paras 79 (openness) and 89 (not inappropriate development) together with core principles - para 17.	0
GB17A	Agricultural, Horticultural and Forestry Workers' Dwellings	<u>COMPLIANT</u>	Para 55 explicitly allows for dwellings for any rural worker, including agricultural workers, to be permitted to have an isolated dwelling in the countryside where it is essential for them to live at or adjacent to their place of work. Further indirect support in para 28 which promotes a prosperous rural economy. No detail guidance but the key is that the dwelling satisfies an essential need so it is appropriate to set out policy tests to ensure any claimed essential need is demonstrated and, given the life of a dwelling, that the need is more than temporary. Consequently the viability test - criterion (ii) has implicit support as does the requirement that any consent given is subject to an occupancy restriction - criterion (v). Criterion (iii) and (iv) are related to demonstrating that the	6
GB17B	Removal of Agricultural Occupancy Conditions	<u>COMPLIANT</u>	Implicit support in para 55 to ensure any dwelling serves more than a temporary need.	0
GB18	The Former Radio Station at North Weald Bassett			0
GB19	Grange Farm, Chigwell			0
Heritage Conservation			As discussed in Mark Beard's comments, the Local Plan was written prior to the change in terminology brought in with PPS5 and continued in the NPPF. The NPPF refers to 'heritage assets' (designated and non-designated) rather than individual types and is concerned with the impact proposals could have on the 'significance' of these assets. The comprehensive re-wording of the Local Plan HC policies will be needed to bring them in line with the terminology and emphasis of national policies and guidance. However, the general concept behind the Local Plan policies and the NPPF remains the same	

HC1	Scheduled Monuments and other archaeological sites	<u>PARTIALLY COMPLIANT</u>	Para.128 - last sentence which requires developers to submit an archaeological evaluation. Para.139 - relating to sites of potential archaeological interest.	0
HC2	Ancient Landscapes	<u>PARTIALLY COMPLIANT</u>	Unless forming part of a conservation area, ancient landscapes would be classed as non-designated heritage assets. Para.135 states that a balanced judgement of the scale of harm/loss and the significance of the heritage asset should be made. Policy HC2 doesn't use this terminology, however, it could be argued that the concept behind the two policies is the same - the term 'adversely affect' is equivalent to harm/loss and 'the nature and physical appearance of ancient landscapes' forms part of their significance. As well as differences in language and terminology HC2 does not account for digress of harm or the need to make a 'balanced judgement' as stated in para.135	1
HC3	Registered Parkland	<u>PARTIALLY COMPLIANT</u>	Registered Parks and Gardens are considered designated heritage assets by the NPPF, paras.132-134 therefore apply. Again the terminology of the policies differ but the concept remains the same any adverse affect on the parks/gardens would harm their significance. However, HC3 does not account for different degrees of harm or the need to balance the impact against public benefit.	0
HC4	Protected Lanes, Commons and Village Greens	<u>PARTIALLY COMPLIANT</u>	As with HC2 - protected lanes, commons and village greens would be viewed as non-designated heritage assets so para.135 is relevant. HC4 only partially complies with the NPPF due to the reasons set out for HC2.	0
HC5	Epping Forest	<u>PARTIALLY COMPLIANT</u>	A strict interpretation of the definitions within the NPPF would suggest that Epping Forest is a non-designated heritage asset and would therefore fall under para.135. As with the above policies, the general principle of the policy is compliant but there is no provision for the consideration of the degree of harm/loss and its impact on the significance of the asset.	3
HC6	Character, Appearance and setting of Conservation Areas	<u>PARTIALLY COMPLIANT</u>	Partially compliant with paras. 132-134. Also para.137. Again, different (but not necessarily conflicting) terminology and a lack of provision for the consideration of the level of harm/loss or the wider public benefit. However, some of the language used in HC6 does correspond with section 72(1) of the Planning (LB&CAs) Act.	111
HC7	Development within Conservation Areas	<u>PARTIALLY COMPLIANT</u>	Para.131 - last bullet point in particular which relates to new development making a positive contribution to local character and distinctiveness. The points set out in HC7 are intended to ensure development does this.	111

HC9	Demolition in Conservation Areas	<u>PARTIALLY COMPLIANT</u>	Para.138 deals with the loss of buildings in a conservation area and states that loss of a building should be considered as either substantial/less than substantial harm (tying back in with paras.132-134). HC9 only allows for demolition where the building does not make a significant contribution to the conservation area whereas the NPPF would allow for this providing the degree of harm/loss has been assessed and justified.	16
HC10	Works to Listed Buildings	<u>PARTIALLY COMPLIANT</u>	Partially compliant with paras. 132-134. Again, different (but not necessarily conflicting) terminology and a lack of provision for the consideration of the level of harm/loss or the wider public benefit. However, the language reflects that used in the Planning (LB&CAs) Act.	160
HC11	Demolition of Listed Buildings	<u>PARTIALLY COMPLIANT</u>	Para.132 states that substantial harm or loss of a grade II LB should be exceptional and grade I/II* should be wholly exceptional so the wording of the two policies is similar. However, HC11 does not offer distinctions between the grades and does not include the tests outlined in para.133. As with other policies, the principle remains consistent with the NPPF.	5
HC12	Development affecting the setting of Listed Buildings	<u>PARTIALLY COMPLIANT</u>	Current guidance states that the setting of a heritage asset forms part of its significance. Para.132 includes a sentence on harm/loss to significance through development in the setting of a heritage asset. As with the other HC policies, the principle is correct (in this case of preserving the setting of LBs) however, the approach is not in line with the NPPF. Mark Beard's comments provide an outline of the correct approach to setting.	114
HC13	Change of Use of Listed Buildings	<u>PARTIALLY COMPLIANT</u>	Although the policy is intended preserve the special interest of LBs, it does not follow the approach of the NPPF. The NPPF approach to considering change of use, as with all other changes, is to define the significance of the LB and assess the impact of the proposals on that significance. Paras.132-134 apply here depending on whether the change of use amounts to substantial harm or less than substantial harm. HC13 also does not allow for different levels of harm to be assessed.	15
HC13A	Local List of Buildings	<u>PARTIALLY COMPLIANT</u>	Para.126 - the local list is part of the Council's 'positive strategy for the conservation...of the historic environment'. Para.135 - relates to non-designated heritage assets (which includes locally listed buildings).	15
HC14	Copped Hall, Epping	<u>PARTIALLY COMPLIANT</u>	site specific policy requiring evidence-based justification	1
HC16	Former Royal Gunpowder Factory Site, Waltham Abbey	<u>PARTIALLY COMPLIANT</u>	site specific policy requiring evidence-based justification	0
HC17	Approval of details of demolition	<u>PARTIALLY COMPLIANT</u>	Save Britain's Heritage v Secretary of State - EIA required for demolition	0

Nature Conservation				
NC1	SPAs, SACs and SSSIs	<u>NOT COMPLIANT</u> - not criteria based (para 113 of the NPPF). Reference to international sites is not sufficiently robust	Comprehensive re-drafting required.	5
NC2	Country Wildlife Sites	<u>NOT COMPLIANT</u> or reasons under NC1.	Question need for separate policy if NC1 explains the hierarchy and how protection will be commensurate with status.	2
NC3	Replacement of lost habitat	<u>NOT COMPLIANT</u> Agree with Mark Beard's advice	No need for separate policy if criteria in revised NC1 address the issue of replacement habitat	0
NC4	Protection of established habitat	<u>NOT COMPLIANT</u>	Addresses some of the issues included in paras 114 and 117 of the NPPF, but really needs substantial re-drafting and updating.	13
NC5	Promotion of nature conservation schemes	<u>NOT COMPLIANT</u>	Well-intentioned policy which partially addresses paras 114 and 117 of NPPF, but the way it is worded surely fails the test of the last sentence of para 154 (this latter point also applies to policy LL1)	5
Recycling and Pollution				
RP3	Water Quality	<u>COMPLIANT</u>		3
RP4	Contaminated Land	<u>COMPLIANT</u>		11
RP5A	Adverse Environmental Impacts	<u>COMPLIANT</u>		18
RP6	Hazardous substances and installations	<u>COMPLIANT</u>		0

Housing

the adopted Housing policies within the Local Plan will only be compliant with policies within the Framework and be considered 'up-to-date' for the purposes of the presumption in favour of sustainable development, if the Council can demonstrate a five-year supply of deliverable housing sites against housing requirements, having regard to the key priorities within the Framework to boost significantly the supply of housing without undue delay and to meet in full the objectively assessed housing needs within the District.

The concept of "policies for the supply of housing" within paragraph 49 of the Framework is likely to be applied broadly to all policies that unduly restrict the delivery of housing to meet objectively assessed housing needs.

H1A	Housing Provision		DELETED from Local Plan (Not 'saved' in 2009)	1
H2A	Previously Developed Land	<u>COMPLIANT</u>	Conforms - para. 17 'encourage the effective use of land by reusing land that has been previously developed...' Para. 111 allows LPA's to set a locally appropriate target for the use of PDL.	23
H3A	Housing Density	<u>PARTIALLY COMPLIANT</u>	Conform - if supported by para. 47 LPA's should...set their own approach to housing density to reflect local circumstances'	4
H4A	Dwelling Mix	<u>PARTIALLY COMPLIANT</u>	Conforms in part - Need to provide a mix (both market and affordable) compliant with paras 47 and 50 of NPPF. However in relation to extensions of houses, there is little to support this and practically this para is superseded by the 2008 PD regs	13
H5A	Provision for Affordable Housing	<u>COMPLIANT</u>	Conforms - para. 47 but particularly para. 50 - 'where (LPA's) have identified that affordable housing is needed, set policies for meeting this need on site, unless...)	2
H6A	Site Thresholds for Affordable Housing	<u>PARTIALLY COMPLIANT</u>	Conforms in part - para 47 and 50 - BUT - para. 50 'Such policies should be sufficiently flexible to take account of changing market conditions over time'.	3
H7A	Levels of Affordable Housing	<u>PARTIALLY COMPLIANT</u>	Conforms if supported by evidence base - para. 47.	2
H8A	Availability of Affordable Housing in Perpetuity	<u>PARTIALLY COMPLIANT</u>	Loosely conforms - there is nothing specific, but the principle of this policy accords with the need at para 47 to meet the 'full, objectively assessed needs for market and affordable housing' and paras 14 and 49 regarding the presumption in favour of sustainable development.	0
H9A	Lifetime Homes	<u>PARTIALLY COMPLIANT</u>	Conforms- para.50 'LPA's should plan for a mix of housing based on...needs of different groups in the community (such as...older people, people with disabilities)' and also para 14 (the presumption)	0

H10A	Gypsy Caravan Sites	<u>PARTIALLY COMPLIANT</u>	Conforms with para 87 (special circs in the Green Belt). BUT more needed to conform with paras. 7-15 of 'Planning Policy for Traveller Sites' - adopted 23/03/2012. In particular, a five year supply of deliverable sites to meet need must be identified.	2
H11A	Travelling Show people	<u>PARTIALLY COMPLIANT</u>	Conforms - para 87 (special circumstances) and also para 17 of 'Planning Policy for Travellers Sites)	0
			Additional policies may be needed in respect of: para 51 (allowing change of use to residential from 'B' class buildings); para. 50 (where site not suitable for affordable hsg to be provided on site, a financial contribution <i>equivalent to subsidy value???</i>) will be sought); para 50 (providing a mix including for people wishing to build their own homes); G&T site provision (as referred to above)	
Employment				
E1	Employment Areas	<u>NOT COMPLIANT</u>	Paragraph 20, 22, 51 Too restrictive	3
E2	Redevelopment/ extension of premises for business and general industrial uses	<u>NOT COMPLIANT</u>	too restrictive in absence of evidence base	0
E3	Warehousing (in respect of E2)	<u>NOT COMPLIANT</u>	too restrictive in absence of evidence base	0
E4A	Protection of Employment Sites	<u>NOT COMPLIANT</u>	too restrictive in absence of evidence base	15
E4B	Alternative Uses for Employment Sites	<u>NOT COMPLIANT</u>	contrary to s49 and 51 that allow change of use to residential.	8
E5	Effect of nearby developments	<u>NOT COMPLIANT</u>	Paragraph 17.4 seeking good amenity standards	2
E6	Sites for business/ industry/ warehousing	<u>NOT COMPLIANT</u>		0
E7	Sites for business/ industry	<u>NOT COMPLIANT</u>		1

E8	Sites for small business/ industry workshops	<u>NOT</u> <u>COMPLIANT</u>		0
E10	Town Centre Offices	<u>COMPLIANT</u>		0
E11	Employment uses elsewhere	<u>NOT</u> <u>COMPLIANT</u>	Contrary to paragraph 21.3 which seeks flexibility to respond to change.	2
E12	Small scale business/ working from home	<u>NOT</u> <u>COMPLIANT</u>	Reference to "outside the Green belt" is too restrictive and the second part relating to working from home (ii) and (iii) are too restrictive. No policy in the NPPF prevents COU of residential to business use.	2
E12A	Farm Diversification	<u>NOT</u> <u>COMPLIANT</u>	Complies with Para 28 but part (v) is too restrictive	6
E13A	New and Replacement Glasshouses	<u>NOT</u> <u>COMPLIANT</u>	complies with Green belt paras 79, 80 and 89 while supporting growth in planned way. Needs up to date evidence base.	1
E13B	Protection of Glasshouse Areas	<u>NOT</u> <u>COMPLIANT</u>	But needs up to date evidence base.	3
E13C	Prevention of Dereliction of New Glasshouse Sites	<u>NOT</u> <u>COMPLIANT</u>	if based on up to date evidence base, but need to look at whether requiring removal of buildings is "sustainable"	3
E14	Seek relocation/ discontinuance	<u>NOT</u> <u>COMPLIANT</u>	Paras, 9, 17.4,	0
E15	Resist consolidation	<u>NOT</u> <u>COMPLIANT</u>	Just be aware of Para 123.3 which suggests where existing commercial uses pre date adjoining sensitive uses their further development should not be resisted just because of noise.	1

Town Centres

TC1	Town Centre Hierarchy	<u>GENERALLY COMPLIANT</u>	Para 23 requires the definition of a hierarchy and policies which promote the vitality and viability of town centres.	16
TC2	Sequential Approach	<u>GENERALLY COMPLIANT</u>	LP requires a sequential approach to development and NPPF also promotes sequential approach at Para 24, although not as tightly as the LP. LP encourages new development in the district centres after principal but NPPF does not stipulate that this should necessarily be the case.	2
TC3	Town Centre Function	<u>PARTIALLY COMPLIANT</u>	Para 23 recognises that town centres are at the heart of communities and promotes policies that will support their vitality and viability. Para 23 does not preclude residential development at ground floor. LP requires the retention of upper floors for business NPPF does not require this. Para 23 promotes vitality and viability of centres but does not state that proposals resulting in dead frontage should be refused.	22
TC4	Non-Retail Frontage	<u>GENERALLY COMPLIANT</u>	LP defines a primary shopping area as required by Para 23 of NPPF and what uses would be considered appropriate within it. It does not however suggest rigid levels as per TC4.	1
TC5	Window Displays	<u>COMPLIANT</u>	Promotes vitality and viability in line with Para 23.	2
TC6	Local Centres and Corner and Village Shops	<u>GENERALLY COMPLIANT</u>	Para 28 promotes retention of local services, Para 70 states local services should be retained and modernised for the benefit of the community.	5

Recreation, Sport and Tourism

RST1	Recreational, sporting and tourist facilities	<u>COMPLIANT</u>	Complies with the aims of section 8 of the NPPF - promoting healthy communities	8
RST2	Enhance rights of way network	<u>COMPLIANT</u>	Complies with paragraph 75 of the NPPF	1
RST3	Loss or diversion of rights of way	<u>COMPLIANT</u>	Complies with paragraph 75 of the NPPF	2
RST4	Horse Keeping	<u>COMPLIANT</u>	Complies with the aims of section 8 of the NPPF - promoting healthy communities	14
RST5	Stables	<u>COMPLIANT</u>	See above	12
RST6	Fishing Lakes	<u>COMPLIANT</u>	See above	0

RST7	Recreational Function of the Lee and Stort Navigations	<u>COMPLIANT</u>	See above	0
RST8	Play Areas	<u>COMPLIANT</u>	See above	0
RST9	Carthagena and Riverside chalet estates	<u>GENERALLY COMPLIANT</u>	In part complies with the general aims of providing recreational and leisure use to communities and also of protecting the Green Belt in these specific, well established areas. May need to await the outcome of the appeal/enforcement on No. 38 Roydon Lodge Chalet Estate to determine whether these policies will continue to be relevant/justified/enforceable	0
RST10A	Roydon Lodge Chalet Estate	<u>GENERALLY COMPLIANT</u>	See above	0
RST11	Theydon Park Road and Curtis Mill Lane chalet estates	<u>GENERALLY COMPLIANT</u>	See above	0
RST12	Leisure plots	<u>GENERALLY COMPLIANT</u>	See above	0
RST13	Allotment provision/ protection	<u>COMPLIANT</u>	Complies with the aims of section 8 of the NPPF - promoting healthy communities	0
RST14	Playing Fields	<u>COMPLIANT</u>	Complies with paragraph 74 of the NPPF	0
RST15	Facilities in rural settlements	<u>COMPLIANT</u>	Complies with the general aims of sustainable development as contained within the NPPF and in part to paragraph 28	1
RST16	Golf course location	<u>COMPLIANT</u>	Complies with the general aims of sustainable development as contained and section 8 of the NPPF	0
RST17	Golf courses on derelict or despoiled land	<u>COMPLIANT</u>	Complies with the general aims of sustainable development as contained and section 8 of the NPPF	0
RST18	“Pay and play”/ simple golf courses	<u>COMPLIANT</u>	Complies with the general aims of sustainable development as contained and section 8 of the NPPF	0
RST19	Design, Layout, and landscaping of golf courses	<u>COMPLIANT</u>	Complies with the general aims of sustainable development as contained and section 8 of the NPPF	0
RST20	New buildings for golf courses	<u>COMPLIANT</u>	Complies with the general aims of sustainable development as contained and section 8 of the NPPF	2
RST21	Lighting for driving ranges	<u>COMPLIANT</u>	Complies with the general aims of sustainable development as contained and section 8 of the NPPF	0
RST22	Potentially intrusive activities	<u>COMPLIANT</u>	Complies with various aims of the NPPF (impact on character and appearance of areas, public rights of way, etc.)	1

RST23	Outdoor leisure uses in the LVRP	<u>COMPLIANT</u>	Complies with the aims of section 8 of the NPPF - promoting healthy communities	2
RST24	Design and location of development in the LVRP	<u>COMPLIANT</u>	Complies with the aims of section 8 of the NPPF - promoting healthy communities	9
RST25	Glen Faba and Roydon Mill Leisure Park	<u>GENERALLY COMPLIANT</u>	In part complies with the general aims of providing recreational and leisure use to communities and also of protecting the Green Belt in these specific, well established areas. May need to await the outcome of the appeal/enforcement on No. 38 Roydon Lodge Chalet Estate to determine whether these policies will continue to be relevant/justified/enforceable	0
RST26	Leisure chalets at Glen Faba	<u>GENERALLY COMPLIANT</u>	See above	0
RST27	North Weald Airfield Leisure Centre	<u>COMPLIANT</u>	Complies with the aims of section 8 of the NPPF - promoting healthy communities	1
RST28	Character and historic interest of North Weald Airfield	<u>COMPLIANT</u>	Complies with the aims of section 8 of the NPPF - promoting healthy communities	1
RST29	New buildings on North Weald Airfield	<u>COMPLIANT</u>	Complies with the aims of section 8 of the NPPF - promoting healthy communities	2
RST30	Leisure caravans and camping	<u>GENERALLY COMPLIANT</u>	In part complies with the general aims of providing recreational and leisure use to communities and also of protecting the Green Belt in these specific, well established areas. May need to await the outcome of the appeal/enforcement on No. 38 Roydon Lodge Chalet Estate to determine whether these policies will continue to be relevant/justified/enforceable	1

Community Facilities

CF1	Traps Hill, Loughton	<u>COMPLIANT</u>	Paragraph 69.	0
CF2	Health care facilities	<u>COMPLIANT</u>	Paragraph 17.	1
CF3	Redevelopment of Health care facilities	<u>COMPLIANT</u>	Paragraph 17.	0
CF5	Educational buildings outside the Green Belt	<u>COMPLIANT</u>	Paragraph 72.	1
CF6	Redevelopment/ change of use of educational facilities outside the Green Belt	<u>COMPLIANT</u>	Paragraph 72.	0
CF7	Site of former Ongar Comprehensive School	<u>COMPLIANT</u>	Paragraph 69.	0
CF8	Public Halls and Places of Religious Worship	<u>COMPLIANT</u>	Paragraphs 17, 70.	2

CF10	Public Art	<u>COMPLIANT</u>	Paragraph 17 - "not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;"	0
CF12	Retention of Community Facilities	<u>COMPLIANT</u>	Paragraphs 17, 70, 74.	6

Utilities

U1	Infrastructure adequacy	<u>COMPLIANT</u>	Complies with the aims of sustainable development as stated within the NPPF	0
U2A	Development in Flood Risk Areas	<u>GENERALLY COMPLIANT</u>	Whilst this policy refers to PPG25, the generally aims and principles of this have been carried forward to the NPPF and the Technical Guidance regarding flooding, and therefore once updated to reflect this it would comply.	7
U2B	Flood Risk Assessment Zones	<u>GENERALLY COMPLIANT</u>	See above	13
U3A	Catchment Effects	<u>GENERALLY COMPLIANT</u>	See above	4
U3B	Sustainable Drainage Systems	<u>COMPLIANT</u>	Complies with the aims of section 10 of the NPPF - Meeting the challenge of climate change, flooding and coastal change	2
U6	Masts and aerials under 15m	<u>COMPLIANT</u>	However, the tone of the NPPF section 5 appears to be more supportive of this type of development.	0
U6	Other masts and aerials	<u>COMPLIANT</u>	However, the tone of the NPPF section 5 appears to be more supportive of this type of development.	2

Design and the Built Environment

DBE1	Design of new buildings	<u>COMPLIANT</u>	Paragraphs 17, 56, 57, 58, 59, 60, 61, 64.	231
DBE2	Effect on neighbouring properties	<u>COMPLIANT</u>	Paragraphs 17, 56.	232
DBE3	Design in Urban areas	<u>COMPLIANT</u>	Paragraphs 17, 56, 57, 58, 59, 60, 61, 64.	33
DBE4	Design in the Green Belt	<u>COMPLIANT</u>	Paragraphs 17, 56, 57, 58, 59, 60, 61, 64.	236
DBE5	Design and layout of new development	<u>COMPLIANT</u>	Paragraphs 17, 56, 57, 58, 59, 60, 61, 64.	2
DBE6	Car parking in new development	<u>PARTIALLY COMPLIANT</u>	Paragraph 39 - subject to consideration of all factors provided within paragraph	28
DBE7	Public open space	<u>COMPLIANT</u>	Paragraphs 58, 69, 73.	0

DBE8	Private amenity space	<u>COMPLIANT</u>	Paragraph 17.	76
DBE9	Loss of amenity	<u>COMPLIANT</u>	Paragraphs 17, 56.	891
DBE10	Residential extensions	<u>COMPLIANT</u>	Paragraphs 17, 56, 57, 58, 59, 60, 61, 64.	651
DBE11	Sub division of properties	<u>COMPLIANT</u>	Paragraph 17.	3
DBE12	Shop fronts	<u>COMPLIANT</u>	Paragraphs 56, 57, 58.	7
DBE13	Advertisements	<u>COMPLIANT</u>	Paragraph 67.	39
Landscape and Landscaping				
LL1	Rural Landscape	<u>COMPLIANT</u>	Policies are generally compliant with policies within the Framework, including paragraphs 17 (bullet points 2, 4, 5 and 7), 58, 59, 69, 73, 74, 78, 92, 109, 112 and 118. Policies LL5 and LL6 are generally compliant with the aims and objectives of paragraphs 76-78 of the Framework.	35
LL2	Inappropriate rural development	<u>COMPLIANT</u>		32
LL3	Edge of settlement	<u>COMPLIANT</u>		4
LL4	Agricultural/ forestry-related development	<u>COMPLIANT</u>		0
LL5	Protection of urban open spaces	<u>GENERALLY COMPLIANT</u>		2
LL6	Partial development of urban open spaces	<u>GENERALLY COMPLIANT</u>		2
LL7	Planting protection and care of trees	<u>COMPLIANT</u>		5
LL8	Works to preserved trees	<u>COMPLIANT</u>		2
LL9	Felling of preserved trees	<u>COMPLIANT</u>		1
LL10	Adequacy of provision for landscape retention	<u>COMPLIANT</u>		111
LL11	Landscaping schemes	<u>COMPLIANT</u>		66
LL12	Street trees	<u>COMPLIANT</u>		0
LL13	Highway/ motorway schemes	<u>COMPLIANT</u>		0

Sustainable Transport				
ST1	Location of development	<u>COMPLIANT</u>	ST1 - Para 17, 29, 30 and 34. ST1 (i) - Para 17, 23, 24, 34 and 37. ST1 (ii) - 23 and 24. ST1 (iii) Para 49. ST1 (rural) - Para 55.	54
ST2	Accessibility of development	<u>COMPLIANT</u>	ST2 (i) - Para 17, 29, 30 and 34. ST2 (ii) Para 40. ST2 (iii) - Para 17, 34, 35 and 37. ST2 (iv) - Para 39. ST2 (v) - 58 and 69. ST2 (vi) - Para 32 and 35.	10
ST3	Transport Assessments	<u>COMPLIANT</u>	Para 32 and 36.	0
ST4	Road safety	<u>COMPLIANT</u>	Para 31, 32 and 35.	152
ST5	Travel plans	<u>COMPLIANT</u>	Para 32 and 36.	0
ST6	Vehicle parking	<u>GENERALLY COMPLIANT</u>	No requirement in the NPPF to follow guidance for parking in adopted standards although Para 39 does indicate what should be included in a local parking standards document. Remains fit for purpose for decision making, provided consideration of all matters in paragraph 39 is undertaken.	163
ST7	New roads and extensions or improvements to existing roads	<u>COMPLIANT</u>	ST7 (i) - Para 17, 30, 109, 110, 126, 132 and 133. ST7 (ii) - Para 32 and 35. ST7 (iii) Para 75. ST7 (iv) - Para 83 and 85.	2
ST8	Epping to Ongar line	<u>COMPLIANT</u>	Para 29, 34 and 35.	0
ST9	Stansted aerodrome safeguarding	<u>COMPLIANT</u>	Para 33	0
Implementation				
I1A	Planning Obligations	<u>NOT COMPLIANT</u>	Needs to relate to CILs	3
I3	Replacement facilities	<u>COMPLIANT</u>		0
I4	Enforcement procedures	<u>COMPLIANT</u>		0